

June 22, 2005

TO: Stakeholders

FROM: Tracy Hansen, Program Manager
Health Care Assistants Program

RE: Statement of Inquiry for WAC 246-12-040(3)(b) – How to return to active status after a credential has expired

Proposed rule amendment:

A supervisor of a Health Care Assistant (HCA) brought to the attention of the Department of Health the issue behind this proposed rule change. The supervisor had raised concerns with WAC 246-12, returning to active status after a credential has expired.

RCW 18.135.040 requires that a certification issued to a health care assistant by one health care facility or health care practitioner cannot be transferred to another health care facility or health care practitioner. This makes it impossible for an individual to maintain an active HCA credential after leaving employment. This situation also imposes upon the individual a late renewal penalty fee (\$50.00), an expired certificate reissuance fee (\$50.00) and a renewal fee (\$60.00).

The proposed change to the HCA license renewal process requires a rule amendment. The current Health Professional Quality Assurance (HPQA) policy allows HCAs who leave employment as a HCA at a specific facility, and who later return to work at the same facility, to submit a new application and pay the new application fee. Under this policy, these situations are not treated as reissuance of an expired credential. This policy is only intended to remain in force until the current rule is amended; the policy is not a long-term solution. A rule amendment is needed to eliminate the penalty and expired certificate reissuance fees.

The supervisor of a licensee had written the department to request a change in the rule. In response, the HPQA adopted the policy mentioned above. The same supervisor then sent a petition to amend the existing rule regarding HCA renewals; the petition was denied on the basis that the rule be amended pursuant to the person's initial letter requesting the department amend the WAC regarding HCA renewals.

Please refer to WAC 246-12-040 at <http://www.leg.wa.gov/WAC/index.cfm?section=246-12-040&fuseaction=section>. If you have any questions, please call Tracy Hansen at (360) 236-4915, or email Tracy.Hansen@doh.wa.gov.